

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 508 be amended to read as follows:

- 1 Page 27, after line 10 , begin a new paragraph and insert:  
2 "SECTION 15. IC 27-7-2-3 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) After July 1,  
4 1935, every insurance company authorized to effect worker's  
5 compensation insurance in this state shall be a member of the  
6 worker's compensation rating bureau of Indiana. The bureau shall be  
7 composed of all insurance companies lawfully engaged on July 1,  
8 1935, wholly or in part in making worker's compensation insurance  
9 in Indiana or who shall after July 1, 1935, be issued a certificate of  
10 authority to make worker's compensation insurance in this state.  
11 **(b) Notwithstanding any provision in this chapter to the**  
12 **contrary:**  
13 **(1) the meetings of the bureau are open to the public under**  
14 **IC 5-14-1.5; and**  
15 **(2) the records of the bureau are open to the public for**  
16 **inspection and copying under IC 5-14-3.**  
17 SECTION 16. IC 27-7-2-28.1 IS AMENDED TO READ AS  
18 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 28.1. (a) All  
19 companies authorized to write worker's compensation insurance shall  
20 participate in the assigned risk plan providing for the equitable  
21 apportionment among them of insurance that may be afforded to  
22 applicants who are in good faith entitled to but who are unable to  
23 procure such insurance through ordinary methods. The bureau shall  
24 file, at least thirty (30) days before their effective date, the plan of  
25 operation, rates, rating plans, rules, policy forms, and any future

1 modifications thereof, with the commissioner for approval. Such rates  
2 shall reflect experience in the assigned risk plan to the extent it is  
3 actuarially appropriate. The rates must reflect the varied categories of  
4 rejected risks covered by the assigned risk plan and must include at  
5 least two (2) rating plans, one (1) of which may not exceed the  
6 recommended minimum premiums and rates filed by the bureau  
7 under section 4 of this chapter.

8 (b) The commissioner shall disapprove any filing that does not  
9 meet the requirements of section 20.1 of this chapter. A filing shall be  
10 deemed to meet such requirements unless disapproved by the  
11 commissioner within thirty (30) days after the filing is made. In  
12 disapproving a filing made under this section, the commissioner shall  
13 have the same authority and follow the same procedure as in  
14 disapproving a filing under section 20.3 of this chapter.

15 (c) **The bureau may appoint companies to write worker's**  
16 **compensation insurance that participate in the assigned risk plan**  
17 **to act as servicing carriers. Servicing carriers acts as**  
18 **administrators for the assigned risk plan in a manner defined by**  
19 **the bureau.**

20 (d) **Companies selected as servicing carriers must meet**  
21 **solvency requirements imposed by the department, be in good**  
22 **standing with the assigned risk plan and the bureau and meet other**  
23 **reasonable criteria imposed by the bureau.**

24 (e) **The standards and criteria for servicing carriers in IC 27-7-**  
25 **2-28.1(d), the number of servicing carriers permitted, and the**  
26 **actual companies selected to act as servicing carriers by the bureau**  
27 **shall be approved by the commissioner."**

28 Renumber all SECTIONS consecutively.

(Reference is to ESB 508 as printed March 25, 2005.)

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Representative RIPLEY